

Message

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**From:** Barrientos, Brittany A. [brittany.barrientos@stinson.com]  
**Sent:** 4/15/2020 2:55:59 PM  
**To:** Chiccine, Catherine [chiccine.catherine@epa.gov]  
**Subject:** RE: Citizens Gas Notice Letter

Thanks!

**Brittany A. Barrientos**

Partner

STINSON LLP  
1201 Walnut Street, Suite 2900  
Kansas City, MO 64106-2150  
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**From:** Chiccine, Catherine <[chiccine.catherine@epa.gov](mailto:chiccine.catherine@epa.gov)>  
**Sent:** Wednesday, April 15, 2020 9:22 AM  
**To:** Barrientos, Brittany A. <[brittany.barrientos@stinson.com](mailto:brittany.barrientos@stinson.com)>  
**Subject:** RE: Citizens Gas Notice Letter

Thanks for the update. I just checked our records database and MidAmerican's documents are in, so I've attached them hereto. They include a letter from MidAmerican responding to EPA's general notice letter, as well as a 2003 response from MidAmerican to IDNR, which we never had the attachments to until now. I'll keep you posted on what I hear from the other PRPs.

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**From:** Barrientos, Brittany A. <[brittany.barrientos@stinson.com](mailto:brittany.barrientos@stinson.com)>  
**Sent:** Wednesday, April 15, 2020 8:30 AM  
**To:** Chiccine, Catherine <[chiccine.catherine@epa.gov](mailto:chiccine.catherine@epa.gov)>  
**Subject:** RE: Citizens Gas Notice Letter

Thank you. Black Hills is planning to reach out to the PRPs but wanted to get more context (who is in, who is out, who hasn't responded) before doing so. This information is super helpful. We'd appreciate the opportunity to look at the MidAmerican docs when you get them. I imagine it's quite the chore to get them, scan them and be able to review them, but we'd appreciate taking a look when they're ready.

I passed along the info below to Tim and we'll keep you posted.

Brittany

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**From:** Chiccine, Catherine <[chiccine.catherine@epa.gov](mailto:chiccine.catherine@epa.gov)>  
**Sent:** Wednesday, April 15, 2020 8:22 AM

**To:** Barrientos, Brittany A. <[brittany.barrientos@stinson.com](mailto:brittany.barrientos@stinson.com)>

**Subject:** RE: Citizens Gas Notice Letter

Brittany,

I have heard from most of them. The City of Council Bluffs and IDOT have responded that they will participate; the City did express concern at the timeline given the pandemic but we can be flexible on that. I have not heard from T&A Real Estate, OPPD, or Northern Natural Gas, so I am pinging them today and will let you know what I hear. Have you heard from any of them or has Black Hills reached out to them at all? I would suggest that the PRPs work together to submit one redlined ASAO to EPA, and understand this may take a bit longer than usual due to the pandemic.

I heard from MidAmerican Energy, who as of yesterday has declined to participate, and provided additional documentation supporting its assertion that it is not liable. Based on our review of the documentation, EPA tends to agree with MidAmerican's assertion, so it is our intent to exclude them at this time. EPA is happy to give Black Hills an opportunity to review MidAmerican's submittal and provide any arguments against it. The documents they provided us are in hard copy and we are in the process of getting them scanned into our records system online, which will hopefully be done today or tomorrow (it's taking a little longer than usual due to the lockdown). Let me know if you would like to review their submittal and I will email it to you as soon as we get it into our system.

Thanks!

Cathie

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**From:** Barrientos, Brittany A. <[brittany.barrientos@stinson.com](mailto:brittany.barrientos@stinson.com)>

**Sent:** Wednesday, April 15, 2020 8:05 AM

**To:** Chiccine, Catherine <[chiccine.catherine@epa.gov](mailto:chiccine.catherine@epa.gov)>

**Subject:** RE: Citizens Gas Notice Letter

Thanks! I think he does have some questions for you about responses from other PRPs served notice letters. Have you heard anything?

**Brittany A. Barrientos**

Partner

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**From:** Chiccine, Catherine <[chiccine.catherine@epa.gov](mailto:chiccine.catherine@epa.gov)>

**Sent:** Wednesday, April 15, 2020 8:04 AM

**To:** Barrientos, Brittany A. <[brittany.barrientos@stinson.com](mailto:brittany.barrientos@stinson.com)>

**Subject:** RE: Citizens Gas Notice Letter

Yep – her phone is forwarding too, and her number is 913-551-7795.

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**From:** Barrientos, Brittany A. <[brittany.barrientos@stinson.com](mailto:brittany.barrientos@stinson.com)>

**Sent:** Tuesday, April 14, 2020 4:05 PM

**To:** Chiccine, Catherine <[chiccine.catherine@epa.gov](mailto:chiccine.catherine@epa.gov)>

**Subject:** RE: Citizens Gas Notice Letter

Thanks! I'm checking with him. I know he had some questions about the pipe replacement. It may be that. Is Yvonne's phone forwarding too?

**Brittany A. Barrientos**

Partner

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**From:** Chiccine, Catherine <[chiccine.catherine@epa.gov](mailto:chiccine.catherine@epa.gov)>**Sent:** Tuesday, April 14, 2020 3:24 PM**To:** Barrientos, Brittany A. <[brittany.barrientos@stinson.com](mailto:brittany.barrientos@stinson.com)>**Subject:** FW: Citizens Gas Notice Letter**External Email – Use Caution**

Brittany,

Wanted to touch base with you; I hope you are doing well and staying healthy. I received the below email from Tim. I am happy to talk to him with your OK but I wanted to run it by you first. He (and you) can reach me by calling my office number, as it forwards to my cell phone.

Thanks!

Cathie Chiccine | Attorney-Advisor

United States Environmental Protection Agency, Region 7

913.551.7917 | 11201 Renner Boulevard, Lenexa, Kansas 66219

[chiccine.catherine@epa.gov](mailto:chiccine.catherine@epa.gov)

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**From:** Rogers, Tim <[Tim.Rogers@blackhillscorp.com](mailto:Tim.Rogers@blackhillscorp.com)>**Sent:** Tuesday, April 14, 2020 3:06 PM**To:** Chiccine, Catherine <[chiccine.catherine@epa.gov](mailto:chiccine.catherine@epa.gov)>**Subject:** RE: Citizens Gas Notice Letter

Good afternoon,

Hope all are well in your clan. Would it be possible for you to send me your mobile phone number? Have some questions for you.

Tim Rogers

Black Hills Energy

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**From:** Chiccine, Catherine <[chiccine.catherine@epa.gov](mailto:chiccine.catherine@epa.gov)>**Sent:** Wednesday, April 1, 2020 8:30 AM**To:** Barrientos, Brittany A. <[brittany.barrientos@stinson.com](mailto:brittany.barrientos@stinson.com)>**Cc:** Rogers, Tim <[Tim.Rogers@blackhillscorp.com](mailto:Tim.Rogers@blackhillscorp.com)>**Subject:** Citizens Gas Notice Letter

**\*\* EXTERNAL EMAIL. Is this an expected email? STOP and THINK before clicking links or opening attachments. \*\***

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Brittany and Tim,

This email is a follow-up to my prior email regarding the Citizens Gas notice letter we sent you. We have been having some issues with mail and it appears the attachments to the letter weren't sent via email the first time around, so I've attached the notice letter attachments hereto.

Thanks,

Cathie Chiccine | Attorney-Advisor  
United States Environmental Protection Agency, Region 7  
913.551.7917 | 11201 Renner Boulevard, Lenexa, Kansas 66219  
[chiccine.catherine@epa.gov](mailto:chiccine.catherine@epa.gov)

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